

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLARK COUNTY PROSECUTORS
ASSOCIATION,

Plaintiff,

v.

CLARK COUNTY BOARD OF
COMMISSIONERS, et al.,

Defendants.

2:11-CV-1111 JCM (RJJ)

ORDER

Presently before the court is Nye County Management Employees Association (“NCMEA”) motion for leave to appear as amicus counsel and file an amicus curiae brief. (Doc. #40). Defendants have filed an opposition. (Doc. #44).

It is in the court’s discretion whether to permit the filing of an *amicus curiae* brief. *Long v. Coast Resorts, Inc.*, 49 F. Supp. 2d 1177, 1178 (D. Nev. 1999). Leave to appear as an amicus should only be granted if the information offered is “timely and useful.” *Id.* (internal quotations omitted).

In light of the court’s recent order (doc. #46) granting the parties’ stipulation to extend the motions deadlines, dismiss certain causes of action, and withdraw the pending motion for summary judgment, this court finds that the proposed amicus curiae brief is neither timely nor useful. Indeed, the withdrawal of the motion moots NCMEA’s proposed brief. NCMEA may renew the motion and file another proposed *amicus curiae* brief if and when the parties renew their dispositive motions.

1 In light of the above,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that NCMEA's motion for
3 leave to appear as amicus counsel and file an amicus curiae brief (doc. #40) be, and the same hereby
4 is, DENIED as moot.

5 DATED July 26, 2012.

6

7


UNITED STATES DISTRICT JUDGE

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28